

E-filing

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R E C E I V E D C

FEB 18 2009

8 Attorneys for Petitioner

9 RICHARD W. WIEKING
10 CLERK, U.S. DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND

13 UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

ADR

C09-00705 MHP

16 ALAN B. REICHARD, Regional Director of the)
17 Thirty-Second Region of the National Labor)
18 Relations Board, for and on behalf of the)
19 NATIONAL LABOR RELATIONS BOARD)

20 Petitioner,)

21 v.) Civil No. C

22 INTERNATIONAL LONGSHORE AND)
23 WAREHOUSE UNION, LOCAL 10) ORDER TO SHOW CAUSE

24 Respondent.)

25 The petition of Alan B. Reichard, Regional Director of the Thirty-Second Region of the
National Labor Relations Board, together with affidavits in support thereof, having been filed
pursuant to Section 10(l) of the National Labor Relations Act, as amended, [29 U.S.C., §160(l)],
praying for issuance of an order directing International Longshore and Warehouse Union, Local
10, to show cause why an injunction should not issue enjoining and restraining said Respondent
from engaging in certain acts and conduct in violation of said Act, pending the Board's final

1 disposition of the matters herein, which are now pending before said Board, and good cause
2 appearing therefore,

3 IT IS ORDERED that International Longshore and Warehouse Union, Local 10, appear
4 before this Court at the United States Courthouse in San Francisco California, on the
5 day of March 9, 2009, at 2:00 P.M. or as soon thereafter as counsel can be heard, and
6 then and there show cause, if any there be, why, pending the Board's final disposition of the
7 matters here involved, which are now pending before the National Labor Relations Board,
8 Respondent, its officers, representatives, agents, servants, employees or members; and all
9 persons or organizations acting in concert or participation with Respondent, should not be
10 enjoined and restrained as prayed in said petition; and

11 IT IS FURTHER ORDERED that Respondent file an Answer to the allegations of said
12 petition, together with any affidavits or declarations under penalty of perjury in support of said
13 answer, with the Clerk of this Court, and serve and deliver copies thereof upon Petitioner at his
14 office located at 1301 Clay Street, Suite 300N, Oakland, California 94612-5211, on or before the
15 2nd day of March 2009, or serve copies thereof upon Petitioner electronically
16 pursuant to the rules of this court on or before the 2nd day of March 2009, and that
17 Petitioner may file and serve rebuttal affidavits or declarations under penalty of perjury and
18 arguments and authorities not less than two days before the hearing. All evidence shall be
19 presented by affidavits or declarations under penalty of perjury and no oral testimony will be
20 heard unless otherwise ordered by the Court; and

21 IT IS FURTHER ORDERED that service of copies of this order, together with copies of
22 the petition, affidavits and exhibits upon which it is based and other supporting papers, be made
23 forthwith upon the Respondent, in any manner provided in the Federal Rules of Civil Procedure,
24 by a United States Marshal or by an individual employed by or designated by the National Labor
25 Relations Board to perform service and not a party to this proceeding, in accordance with Rule

1 4(c) of the Federal Rules of Civil Procedure, and that proof of such service be filed herein and
2 that Petitioner also file copies of this order, together with copies of the petition, affidavits and
3 exhibits upon which it is based and other supporting papers, electronically pursuant to the rules
4 of this court.

5 Done at San Francisco, California, this 25th day of February, 2009.

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7 A. J. Parker
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UNITED STATES DISTRICT JUDGE